

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TRUSTEES OF THE BRICKLAYERS  
PENSION TRUST FUND-METROPOLITAN  
AREA; et al.,

Plaintiffs,

vs.

Case No. 12-10331  
HON. GEORGE CARAM STEEH

RIVER CITY CONTRACTING, LLC, et al.,

Defendants.

\_\_\_\_\_ /

ORDER GRANTING PLAINTIFFS' EX PARTE MOTION FOR ALTERNATIVE SERVICE  
AND TO EXTEND SUMMONS [#5]

Plaintiffs move for alternate service extending the summonses issued in this matter for sixty (60) days and authorizing the service of the summonses and copies of the complaint upon defendants River City Contracting, LLC and Willie L. Hartfield via first class mail, and/or certified mail, return receipt requested. Plaintiffs indicate that service of process upon defendants cannot reasonably be made as provided in Federal Rule of Civil Procedure 5 as shown in the affidavit of due diligence prepared by process server, Walter Spears. See Ex. 1.

Defendant River City Contracting, LLC has a registered address in Michigan of 19101 W. Davison Street, Detroit, Michigan 48223. Defendant Hartfield has two last known addresses located in New Hudson, Michigan and Oak Park, Michigan. Spears has attempted to serve defendants at these addresses but there has been no answer at either

address. Upon review of plaintiffs' motion, the court concludes that alternate service is warranted pursuant to Federal Rule of Civil Procedure 4(e)(1) and Michigan Court Rule 2.105(l)(1)-(2).

Plaintiffs' ex parte motion for alternate service and to extend summons is hereby GRANTED. The summonses issued in this matter are extended for an additional sixty (60) days. Plaintiffs may serve the summonses and copies of the complaint upon defendant River City Contracting at its registered Michigan address and upon defendant Hartfield at his last known addresses in New Hudson, Michigan and Oak Park, Michigan by first class mail, return receipt requested. M.C.R. 2.106(D)(2). Plaintiffs shall also publish notice once each week for three consecutive weeks in a newspaper in the county in which defendants' reside. M.C.R. 2.106(D)(1).

SO ORDERED.

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

Dated: May 29, 2012

#### CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on May 29, 2012, by electronic and/or ordinary mail.

s/Josephine Chaffee  
Secretary/Deputy Clerk